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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION ATHLETIC  
GRANT-IN-AID CAP ANTITRUST  
LITIGATION

Case No. 4:14-md-02541-CW

**STIPULATION AND ~~PROPOSED~~ ORDER  
FOR PRETRIAL PROCEEDINGS**

THIS DOCUMENT RELATES TO: ALL  
ACTIONS EXCEPT *Jenkins v. Nat'l*  
*Collegiate Athletic Ass'n*, Case No. 14-cv-  
02758-CW

Pursuant to the Minute order entered in the above-referenced actions on May 22, 2018 (ECF No. 829), counsel for all parties submit the following stipulation setting forth an agreed schedule for the exchange and submission of pretrial documents.

**1. Witness Lists and Testimony by Designation**

- June 6, 2018: Plaintiffs will identify for Defendants the witnesses whom Plaintiffs plan to present live or by designated deposition testimony.
- June 12, 2018: Defendants will identify for Plaintiffs the witnesses whom Defendants plan to present live or by designated deposition testimony.
- July 13, 2018: Plaintiffs and Defendants will file their witness lists, including paragraph summaries.

**2. Designation of Deposition Transcripts and Other Discovery**

- June 19, 2018: Plaintiffs will provide Defendants their affirmative discovery designations (*i.e.*, deposition testimony and written discovery responses).
- June 26, 2018: Defendants will provide Plaintiffs their affirmative discovery designations and objections to and counter-designations to Plaintiffs' affirmative designations.
- July 10, 2018: Plaintiffs will provide Defendants their objections to and counter-designations to Defendants' affirmative designations.
- July 13, 2018: Defendants will provide Plaintiffs their objections to Plaintiffs' counter-designations.
- July 13, 2018: Plaintiffs and Defendants will file their discovery designations, counter-designations, and objections to designations.
- Counsel for Plaintiffs and Defendants will collaborate throughout the foregoing process on logistics for the uniform submission of designations and objections, including color coding to aid the Court in reviewing designations and objections

**3. Exhibit Lists**

- June 26, 2018: Plaintiffs and Defendants will make an initial exchange of exhibits.

- June 29, 2018: Plaintiffs and Defendants will complete the exchange of their respective exhibits.
- July 13, 2018: Plaintiffs and Defendants will file their exhibit lists.
- Counsel for Plaintiffs and Defendants will collaborate throughout the foregoing process on logistics for the uniform submission of exhibit lists, including the elimination of duplicative exhibits, exhibit numbering, and a uniform system for identifying sponsoring witnesses and unresolved objections to exhibits.

#### **4. Demonstratives**

- July 13, 2018: Plaintiffs and Defendants will exchange demonstrative exhibits.
- July 16, 2018: Plaintiffs and Defendants will submit demonstratives to the Court, noting which are objected to.
- Plaintiffs and Defendants agree they will continue thereafter to confer on whether any additional demonstratives are needed and appropriate, and to determine whether they can be agreed upon.

#### **5. Motions in Limine**

- July 2, 2018: Plaintiffs and Defendants will file their respective motions in limine.
- July 12, 2018: Plaintiffs and Defendants will file their respective oppositions to motions in limine.

#### **6. Opening Statements**

- July 6, 2018: Plaintiffs will file their Opening Statement.
- July 17, 2018: Defendants will file their Opening Statement.

#### **7. Expert Declarations**

- July 3, 2018: Plaintiffs will file their experts declarations (direct testimony) on subjects remaining for trial.
- July 11, 2018: Defendants will file their experts declarations (direct testimony) on subjects remaining for trial and opposition to Plaintiffs' declarations.

- 1           ○ July 17, 2018: Plaintiffs will file any opposition expert declarations (direct  
2           testimony) on pro-competitive justification testimony contained in the declarations by  
3           Defendants' experts.

4  
5 Dated: May 31, 2018

Respectfully submitted,

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9 **ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

10 Pursuant to Civil Local Rule 5-1(i)(3), the filer of this document attests that concurrence in the  
11 filing of this document has been obtained from the signatories above.

12 /s/ Bart H. Williams  
13 Bart H. Williams

14 **[PROPOSED] ORDER**

15 **PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS SO**  
16 **ORDERED.**

17 Dated: 6/1/2018

18 

19 The Honorable Claudia Wilken  
20 United States District Court Judge